

## REGULATORY AGENDA NYS DEPARTMENT OF MOTOR VEHICLES 2009

Pursuant to Section 202-d of the State Administrative Procedure Act, the Department of Motor Vehicles presents its regulatory agenda for 2009. All references are to Title 15 of the New York Code of Rules and Regulations. The Department reserves the right to add, delete or modify any item presented in this agenda.

Amend Part 3 to update the motorcycle training courses that may be completed in lieu of the DMV motorcycle road test, which is needed to obtain an M or MJ license. This Part would also be amended to establish regulations governing the Department's Motorcycle Safety Program. Finally, Part 3 would be amended to make the definition of a metal coil consistent with the definition set forth in federal regulations.

Amend Part 6 in relation to the qualifications and disqualifications of bus and school bus drivers and requirements related to motor carriers subject to Vehicle and Traffic Law Article 19-A.

Amend Part 5 in relation to the Department's criteria to approve motorists in the "low-vision" program and limit the acceptability of eye examinations performed by health professionals conducted more than two months prior to an application or renewal of a license.

Amend Part 16 to revise the criteria for the issuance of special license plates.

Amend Part 41 to conform New York State regulations regarding brake efficiency to federal standards, as set forth in 49 CFR 393.52 (commercial vehicle brake performance standards).

Amend Part 43 to conform New York State regulations regarding motor vehicle lighting to federal regulations, as set forth in 49 CFR 571.108.

Amend Part 51 to conform New York State regulations regarding for tire specifications to federal standards, as set forth in 49 CFR Parts 469 and 571.

Amend Part 56 to allow more flexibility in relation to the mounting and use of strobe lights on school buses.

Amend Part 76 to clarify the requirements governing the regulation of driving schools and driving school instructors.

Amend Part 78, which governs the regulation of dealers, in relation to the following provisions: to require additional information on the Bill of Sale (MV-50), including complete vehicle identification information, the exact amount of the sale and information about the vehicle that was a "trade-in;" define the term "place of business"; allow for the use of electronic MV-50s and other forms, if appropriate; clarify the requirements for courtesy deliveries; clarify requirements related to emissions control devices; make the regulation consistent with statutory provisions involving motorcycle handlebars; clarify

salvage vehicle disclosure requirements and revise procedures used to obtain the Salvage Certificate (MV-907A) form; provide for consistency with Part 79 regarding inspection requirements; strengthen requirements related to temporary dealer registrations; clarify the permissible uses of a transporter plates; clarify dealer recordkeeping requirements; clarify the specifications related to signs posted by dealers.

Amend Part 79, which governs the regulation of inspection stations and inspectors, in relation to the following: define certain terms related to vehicle inspections; provide for consistency with Part 78; consider increasing the fees that a station may charge a customer; clarify provisions related to heavy duty vehicle inspections; clarify and simplify procedures related to obtaining an appointment at an inspection station; establish additional requirements for the emissions inspection equipment; clarify procedures for returning inspection certificates to DMV and for properly indicating a voided certificate; clarify requirements related to official inspection station signs; clarify requirements related to brake equalization tests, tread depth, rear suspensions and steering components, speedometers and stop lamps; revise procedures in relation to the On Board Diagnostic Test II test; provide guidance about emission waivers.

Amend Part 82, which governs the regulation of repair shops, in relation to the following: repair shop registration fees; clarify the rules relating to the replacement of air bags; clarify the rules for charging a customer for storage of a vehicle in a repair shop.

Amend Part 103 to update the ATV training course protocols and curriculum.

Amend Part 134 to establish the criteria for the issuance of, and restrictions related to, the special conditional license that may be issued to persons with multiple alcohol-related convictions whose driver's license are revoked for an extended period of time, pursuant to Vehicle and Traffic Law section 1193(2)(b)(12). Part 134 would also be amended to provide that a conditional license shall not be issued to a person whose record contains 25 or more negative units.

Amend Part 136 to include out-of-state alcohol-related incidents as part of the evaluation to determine whether an applicant should be re-licensed after revocation. Part 136 would also be amended to deny an application for re-licensing if the applicant is deemed to be a problem driver.

Amend Part 138 to make the requirements related to the classroom Point Insurance Reduction Program consistent, where appropriate, with the requirements for the on-line Point Insurance Reduction Program.